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AO

SUBJECT: ANGOLA: 2008 TRAFFICKING IN PERSONS (TIP) REPORT

REF: STATE 02731

¶1. (SBU) Summary: Although no detailed, concrete information and statistics on trafficking in Angola exists, government officials openly acknowledge that trafficking does occur. The extent of the problem is believed to be limited, and there is no evidence of organized trafficking activity. Despite limited capacity, the GRA continues efforts to prevent trafficking and protect victims of trafficking. The GRA recognizes the importance of the issue and the need to strengthen their legal and support frameworks; for this reason the Ministry of the Interior was designated as the lead agency for the development and implementation of an anti-trafficking strategy, the first time a single ministry has been so tasked. The GRA also increased its engagement with IOM and SADC countries on anti-trafficking issues during the reporting period. End Summary.

¶2. (SBU) This paragraph contains responses to questions listed reftel. The point of contact on trafficking in persons at Embassy Luanda is PolOff Doreen Bailey, phone +244-222-642-083, fax +244-222-641-230. Embassy Luanda estimates that U.S. direct-hires spent 30 hours and locally employed staff spent 20 hours in the preparation of this report.

Overview

¶3. (SBU) A. Angola is a country of origin for trafficking, namely of women and children for use as domestic servants or young men for unskilled or agricultural labor. The number of persons trafficked outside the country's borders are unknown, but believed to be small.

The government and NGOs believe that South Africa, the Democratic Republic of the Congo (DRC), Namibia, and Europe, primarily Portugal, are the primary destination points for most individuals trafficked from Angola. International organizations report hearing conflicting anecdotal reports that children were also trafficked into the country to work in diamond mines, but were not able to confirm or deny the reports. Internal trafficking also occurs, primarily for agricultural labor or prostitution. Children were used as couriers in cross-border trade between Namibia and Angola in an attempt to skirt import fees, and Angolan government officials informed the Embassy that this problem was on the rise as more border posts open with neighboring countries. There are also reports that economically vulnerable children and adults, primarily women, were at risk for entering into work agreements with relatives or contacts in other cities or provinces that later proved to be abusive and restrictive. Reliable information on trafficking in persons was extremely limited and recognized as a weakness by all stakeholders, including Angolan government (GRA) agencies. The International Organization for Migration (IOM) and the United Nations Children's Fund (UNICEF) are the primary sources of information outside the GRA.

--B. The GRA confirmed that trafficking, to include child prostitution, did occur, driven largely by economic need.

Government and non-governmental organization (NGO) officials assert that these activities were not organized and reflect the high level of poverty. The government's capacity to track and report on these cases is, however, extremely limited, and reports of internal and external trafficking and child prostitution were not quantifiable. Populations targeted by traffickers were believed to most often be economically vulnerable women and children.

--C. Over the reporting period the Ministry of the Interior was tasked with leadership of the government's overall anti-trafficking efforts. In July the government also created the National Children's Council, an inter-ministerial commission designed to define priorities and coordinate the government's policies to combat all forms of violence against children, including unlawful child labor, trafficking, and sexual exploitation. A number of government ministries, including the Ministry of Social Assistance and Reintegration (MINARS), through INAC, its lead agency on children's issues, and the Ministries of Justice; Health; Education; Youth and Sports; Family and the Promotion of Women; Interior; Labor, Public Administration, and Social Security, and Tourism are part of the government's anti-trafficking efforts. The Ministry of Foreign Affairs is the lead agency for regional and international coordination and treaties. Agencies under the Ministry of the Interior, namely the National Police, Border Police, and Immigration Services (SME) also play a significant role in anti-trafficking efforts. Political will to address trafficking in persons remains at the level of "concerned vigilance," and efforts to improve coordination of government and NGO activities in order to better understand the scope of the problem and promote effective use of limited resources increased over the reporting period. Angolan authorities and the international community addressed trafficking by working to eliminate economic insecurities, strengthen monitoring of borders and entry points, and provide assistance to at-risk populations.

--D. Women and children's issues received constant, high-level attention during the reporting period, but effective response was inhibited by limited government capacity and the lack of data about the problem. There has been no comprehensive national study of the problem or a tracking system for cases of suspected trafficking, and the government has little to no capacity to collect and analyze such data. The International Monetary Fund states that "Angola's statistical system is very weak." GRA continued to commit staff and financial resources to study and prevent trafficking, but this is one of many critical government priorities. The National Institute for the Child (INAC) established provincial teams to conduct spot checks on suspected trafficking routes, but INAC officials informed the Embassy that some teams have only one vehicle per province. The National Police continue professional development training, but often are still unable to properly document and investigate crimes. The opening of new border posts between Namibia and the Democratic Republic of the Congo has increased cross-border commercial activity and stretched Angolan immigration officials to the limit. Angolan Immigration Services (SME) officials reported that at times their officers do not have enough fuel to patrol the vast and sparsely populated border regions.

--E. The government has increased its partnership with IOM and UNICEF on anti-trafficking issues in its efforts to better understand the issue of trafficking in persons and create a focused national strategy. There is no systematic monitoring of the GRA anti-trafficking efforts.

Investigation and Prosecution of Traffickers

14. (SBU) A. Angola does not have a law that specifically prohibits trafficking in persons. Constitutional and statutory laws criminalizing forced or bonded labor, prostitution, pornography, rape, kidnapping, and illegal entry are used to prosecute trafficking cases. Articles 390-395 of the Angolan Penal Code cover such related cases.

--B. N/A, since no specific law exists. Penalties are limited to those applicable under Penal Code Articles 390-395, which are all two to eight years sentences.

--C. Forced or bonded labor offences are codified under the labor

law of Angola and sentences range from two to eight years, with fines and compensations for the victims.

--D. The penalties for crimes related to trafficking vary, depending under which of the above mentioned charges the accused is prosecuted under. The minimum sentence for rape is seven years; some related offenses call for life sentences.

--E. Prostitution and all activities related to prostitution are illegal. These laws are intermittently enforced, as culturally such activities are seen as a social ill, rather than a criminal offence.

--F. There was one widely-reported arrest of a suspected trafficker, a man stopped at a border post between Angola and the DRC while transporting two children across the border without parental authorization. The man was charged with illegal transport of children across national boundaries; the case was still pending at the end of the reporting period. In general, the criminal code does not separate cases of trafficking from other criminal investigations of forced or bonded labor, prostitution, pornography, rape, kidnapping, and illegal entry into the country. Statistics on criminal convictions are not publicly available.

--G. The government strengthened its partnership with IOM and continued its work with UNICEF

--H. The government increased its involvement in SADC-level anti-trafficking conferences over the reporting period, and in July hosted the Third African Association of State Attorney Generals to discuss the fight against domestic violence, human and child trafficking. There are now known cases in which the GRA has been asked to cooperate with other governments in the investigation and prosecution of trafficking cases, and technical capabilities for such investigations remain poor. Angolan law does not prohibit the police from engaging in covert operations with proper legal authority.

--I. The GRA can extradite foreign nationals who are charged with trafficking in other countries, but there were no reports of this occurring. The government does not extradite its own nationals charged with such offenses; the Angolan Constitution forbids the extradition of nationals under any circumstance. Under a clause in the African Union charter, the GRA extradited a Nigerian national accused of a non-trafficking related offence during the reporting period.

--J. There is no evidence of overt government involvement in or tolerance of trafficking. Anecdotal reports on trafficking in Angola point to freelance operators. Long-haul truck drivers along the southern border have been identified as offenders. Local NGOs point to them as using children to carry goods across the Angola-Namibian border in order to escape import duties. An Angola-Namibian treaty allows for the purchase and transportation of goods across borders without the payment of excise duties as long as the goods are carried across. Government officials are not believed to be knowingly involved.

--K. No government officials were investigated or prosecuted for involvement in trafficking or trafficking-related corruption during the reporting period.

--L. N/A, as Angolan troops were not involved in international peacekeeping operations during the reporting period.

--M. There are no reports of child sex tourism in Angola; however, the Ministry of Tourism has joined the National Commission to Combat Child Labor and Trafficking in Minors as a preventive measure. Having sex with a minor of fifteen years or below is considered statutory rape and prosecuted as such.

Protection and Assistance to Victims

15. A. There are no known cases of foreign trafficking victims, and the government's capacity to cope with foreign victims of trafficking is extremely limited.

--B. The GRA provides basic assistance for trafficking victims on an as needed basis, but rely heavily on partnerships with religious organizations and civil society for the delivery of social assistance. INAC and UNICEF continued to develop Child Protection Networks (CPN) comprised of government agencies, civil society, and religious groups in all 18 provinces. The CPNs serve as an "SOS Center" for trafficking victims, through which victims between the ages of 9 and 16 can access rescue services, health/social assistance, legal assistance, and family reunification. INAC informed the Embassy that the CPN in Huila province was able to detect and prevent several instances of trafficking and exploitive child labor over the reporting period, but INAC has not kept information or statistics about these cases. Victims over the age of 16 are referred to shelters and services provided by the Angolan Association for Women (OMA), an NGO sponsored by the Ministry of Family and the Promotion of Women. No statistics are available from the CPNs or OMA. The Catholic Church also provides training and shelter to victims in various provinces.

--C. Numerous non-governmental organizations help populations vulnerable to trafficking. These organizations receive funding and in-kind services from and coordinate with governmental organizations. Most also have funding from outside the government.

--D. The government's law enforcement, immigration and social services personnel do not a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact, nor did they have the capacity to do so over the reporting period. However, due in part to the GRA's awareness campaigns and training provided by IOM, awareness of trafficking is growing among law enforcement and social services personnel. Once identified, victims are generally referred to OMA or to the CPNs for assistance; The Ministry of Women and Family Affairs and MINARS also operate a limited number of shelters that can be used in these situations. .

--E. N/A

--F. Victims' rights are generally respected.

--G. Victims can take such judicial action under applicable laws. There are no reports of victims being denied legal redress. There is no formal victim restitution program.

--H. Protection provided in cases of trafficking are the same as other legal cases of abuse. The government does not currently operate or fund shelters specifically for trafficking victims; shelters exist for victims of domestic violence in general.

--I. The Ministry of the Interior coordinated with IOM to provide anti-trafficking training to police, immigration agents, criminal investigative agents, and representatives from INAC and the Ministries of Social Assistance and Reintegration, Justice, and Foreign Affairs during the reporting period.

--J. This type of assistance would fall under existing MINARS programs to provide temporary assistance through the family reunification process.

--K. There are no international organizations or NGOs that work directly with trafficking victims.

Prevention

16. (SBU) A. The GRA recognizes that trafficking occurs and is willing to discuss trafficking issues openly and transparently. It participated in multiple national and international conferences and news interviews on the subject throughout the year.

--B. The GRA conducted a public awareness campaign in June for Children's Month, designed to raise awareness that all forms of violence against children, to include trafficking, are criminal acts. The campaign included pamphlets on children's rights, banners, newspaper articles, and radio and television spots. Government statements against child prostitution and abuse of

children's rights appear frequently in national media; TIP awareness was a part of this wider campaign. Domestic violence in general, and violence against women in particular, was widely discussed during the reporting period.

--C. The government worked closely with civil society and religious groups in its anti-trafficking efforts. INAC's CPNs brought together government and civil society at the municipal and provincial level to coordinate social policy, assistance, and protection for the rights of children. In some provinces, the networks also served as an advisory body to the Provincial Governor on children's issues, which is notable in a country with a history of limited partnership between government and civil society.

International Organizations (IO) also continued to play an important role in the development of anti-trafficking efforts and discussion, and they maintained close ties with the government on this issue. UNICEF worked closely with INAC on both the CPN the development of a victims assistance strategy. UNICEF also partners with SME to provide training for border control agents. The Ministry of the Interior increased its use of IOM anti-trafficking training for police officers and immigration officials over the reporting period.

--D. The GRA works to monitor its borders, but has publicly announced that it lacks resources to do so effectively. Efforts by UNICEF and the SME to strengthen immigration controls at border posts continued, and the law requires documentation for the international travel of children. Border control posts have a computerized tracking system to monitor the movement of children in and out of the country, which allows the SME to monitor immigration trends and scan for irregularities.

--E. See para 3, section C.

--F. The GRA continues to work on an anti-trafficking National Action Plan, as well as re-drafting its penal code to include criminalization of trafficking.

--G. As part of it HIV/AIDS awareness campaign, the GRA has stressed the importance of monogamous relationships.

FERNANDEZ